

Appl. No. 10/735,537
Response dated: September 6, 2005
Office Action dated: May 6, 2005

Amendment to the Drawings

Please amend Figures 1-6 to indicate the figures as being "PRIOR ART." No new matter has been added. Clean replacement sheets are provided herewith.

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REMARKS

In response to the Office Action dated May 6, 2005, Applicants respectfully request reconsideration based on the above claim amendment and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-6 are pending in the present application. Claims 1-6 have been amended and no claims have been cancelled, leaving Claims 1-6 for consideration upon entry of the present amendment and following remarks.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Objections

Claims 1-6 stand objected to for including reference characters that are not enclosed within parentheses. MPEP §608.01(m). Applicants have amended claims 1-6 to comply with the Examiner's recommendation to include reference characters corresponding to elements recited in the detailed description of the drawing and used in conjunction with the recitation of the same element or group of elements in the claims within parentheses so as to avoid confusion with other characters in the claims. Thus, reconsideration and entry of the amendments is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bhattacharya et al. (U.S. Patent No. 5,465,203) in combination with Peterson et al. (U.S. Patent No. 4,053,820) and Marsh (U.S. Patent No. 5,227,962) for the reasons indicated on pages 2 and 3 of the Office action. Applicants respectfully traverse this rejection for the Examiner has failed to establish a *prima facie* case of obviousness.

The Examiner has stated that Bhattacharya et al. in Figs. 1 and 7 disclose all elements of the claimed subject matter, except for (1) *utilization of the technique for the filter to remove 11th*

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and 13th harmonic and (2) a switch unit, which the Examiner has further stated are taught in Fig. 9 of Peterson et al. and Figs. 3–7 [sic] of Marsh, respectively. Further, the Examiner stated that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention disclosed in Bhattacharya et al. with the techniques taught by Peterson et al. and Marsh.

To establish *prima facie* obviousness of a claimed invention, three basic requirements must be met: (1) the prior art references must teach or suggest all the claim limitations; (2) there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art to combine reference teachings; and (3) there must be a reasonable expectation of success. See MPEP §2143. However, Bhattacharya et al. in combination with Peterson et al. and Marsh fail to teach or suggest all the claim limitations of the present invention, and therefore, the Examiner's conclusion that the present invention is *prima facie* obvious under 35 U.S.C. §103(a) is improper.

Firstly, Applicants find no disclosure in Bhattacharya, Peterson and Marsh of the "a signal detection unit" and "firing unit" as recited in Claim 1 and the Examiner has not stated with specificity where such disclosure may be found. Applicants respectfully submit that the Examiner has not met the burden required for a §103 rejection. Thus, Bhattacharya, Peterson and Marsh do not disclose all of the limitations of at least Claim 1.

Secondly, the Examiner alleges on page 3 of the Office Action that Peterson teaches the technique for the filter to remove 11th and 13th harmonics at Figure 9, Item 60. Applicant respectfully submits that Figure 9 does not include an Item 60 and understands the Item 60 referenced in the Office Action to be the series resonant filter 60 of Figure 5. Peterson merely teaches an active filtration system that may be useful for filtering undesired harmonics. (See Abstract.)

Applicants find no disclosure in Peterson of the technique for the "12th active filter capable of concurrently removing 11th and 13th harmonics" as recited in Claim 1 and the Examiner has not stated with specificity where such disclosure may be found or how the technique in Peterson is equivalent to the claimed invention.

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As such, Applicants respectfully submit that the Examiner has not met the burden required for a §103 rejection. Thus, Bhattacharya, Peterson and Marsh do not disclose all of the limitations of at least Claim 1.

Finally, the explanation in the Office Action on page 3 appears to broadly apply to Claims 1-6 per Items 1. and 2. at the bottom of Page 2. The Examiner has not shown with any specificity where in Bhattacharya, Peterson and Marsh the claimed elements, as arranged in at least Claims 2-6 are disclosed. Applicants respectfully contend that the Examiner has not met the burden required for a §103 rejection. Thus, Bhattacharya, Peterson and Marsh do not teach or suggest all of the limitations of Claims 2-6.

As discussed above, Bhattacharya, Peterson and Marsh, alone or in combination, *do not teach or suggest all of the limitations* of Claims 1-6. Thus, *prima facie* obviousness does not exist regarding Claims 1-6 with respect to the Bhattacharya, Peterson and Marsh patents.

Additionally, since Bhattacharya, Peterson and Marsh fail to teach or suggest all of the limitations of Claims 1-6, clearly, one of ordinary skill at the time of Applicants' invention would not have a *motivation to modify or combine the references*, nor a reasonable likelihood of success in forming the claimed invention by modifying or combining the references. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, *prime facie* obviousness does not exist regarding Claims 1-6 with respect to the Bhattacharya, Peterson and Marsh patents. Claims 1-6 are not further rejected or objected to, and Applicant respectfully submits that Claims 1-6 are allowable to Applicants. Reconsideration and allowance of the claims is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

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In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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